

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 Bank of New York Mellon,

5 Plaintiff

6 v.

7 Tierra De Las Palmas Owners Association, et  
8 al,

9 Defendants

2:17-cv-02112-JAD-CWH

**Order Directing Clerk of Court to Accept  
Security of Costs Under NRS 18.130 and  
Vacating Hearing**

[ECF No. 12]

10  
11 SFR Investments Pool 1, LLC demanded that Plaintiff Bank of New York Mellon, an out-  
12 of-state resident, post a cost bond under NRS 18.130(1).<sup>1</sup> The statute allows a defendant in an  
13 action brought by an out-of-state plaintiff to demand that the plaintiff post a bond to secure costs  
14 up to \$500.<sup>2</sup> Once the demand is filed and served, “all proceedings in the action shall be stayed”  
15 until the cost bond is deposited.<sup>3</sup> If the bond is not posted within 30 days of the demand, the  
16 defendant may move for dismissal.<sup>4</sup>

17 Because a court order is required in this district for the Clerk of Court to permit the  
18 posting of a cost bond, the demand is tracked as a motion in the court’s system. Accordingly,  
19 with good cause appearing, IT IS HEREBY ORDERED that SFR’s Demand for Security of  
20 Costs [ECF No. 12] is **GRANTED; the CLERK OF COURT is directed to accept the**  
21 **deposit of \$500.00 from plaintiff under NRS 18.130** as security for costs and charges that may  
22 be awarded against this plaintiff in the event that the cost bond is presented for deposit. Plaintiff  
23

24  
25 <sup>1</sup> ECF No. 12.

26 <sup>2</sup> Nev. Rev. Stat. 18.130(1).

27 <sup>3</sup> *Id.*

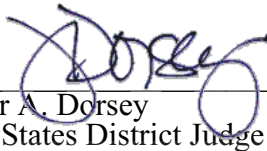
28 <sup>4</sup> Nev. Rev. Stat. 18.130(4).

1 must bring a copy of this order to the Clerk's office when making this deposit. IT IS FURTHER  
2 ORDERED that this case is stayed by operation of NRS 18.130(1) until the \$500 is deposited.

3 IT IS FURTHER ORDERED that **the hearing** on Absolute Collections Services, LLC's  
4 Motion to Dismiss [ECF No. 9] **scheduled for October 25, 2017 at 9:00 a.m. is VACATED.**

5 If, after reviewing the motion, the Court determines that a hearing is necessary, the Court will  
6 reset the motion for hearing.

7 DATED: October 18, 2017

8   
9 Jennifer A. Dorsey  
United States District Judge